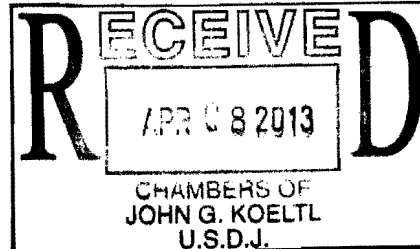


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April 8, 2013

BY FACSIMILEThe Honorable John G. Koeltl
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007-1581Re: Merhej et al. v. I.C.S. International Custody System Inc. et al.
Case number 13-cv-00869 (JGK)(FM)

Dear Judge Koeltl:

We represent Alejandro Gil, one of the defendants in this action. Mr. Gil appeared on March 14, 2013, and by so ordered stipulation, his time to move or answer was extended through April 4. On April 4, Mr. Gil's time to move or answer was further extended, again by stipulation, through April 10.

This is an action alleging RICO violations and common law fraud. We intend to make a motion to dismiss this complaint pursuant to Federal Rules of Civil Procedure Rule 9(b), inasmuch as the complaint in our view fails to state any allegations against Mr. Gil that meet the fraud pleadings requirements.

Pursuant to your Individual Practice Rule 2(A), I am requesting in this fax permission to make the referenced motion to dismiss. We shall have the motion prepared for service and filing by April 10, 2013, as provided in the current scheduling stipulation. However, we note that the Court has set a pretrial conference for April 16, 2013, at 4:30, and if it is more convenient to the Court to deal with this request at the scheduled conference, we would respectfully request that the time to serve and file our motion, (or depending upon the Court's ruling our answer) be extended to a few days after the April 16 conference. In the alternative, I am available for a telephonic or in-person conference on our request to serve and file a motion to dismiss any time tomorrow.

Very truly yours,

Jeffrey E. Glen

cc: Troy Selvaratnam, Esq.

nydocs1-1007746.1

The time to move or answer is extended to a time to be set at the April 16, 2013 Conference which will consider the request - will a motion

4/9/13
so ordered
Jr Koeltl / U.S.D.J.